

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

FM HOLDINGS, LLC f/k/a
FORWARDMARKET, LLC,

Plaintiff,

v.

BILL MAHONEY and
STEPHEN GREGORIO,

Defendants.

Civ. No. 05-11400-MLW

**PLAINTIFF'S NOTICE OF VOLUNTARY DISMISSAL BY STIPULATION
PURSUANT TO FED. R. CIV. P. RULE 41(a)(1)(ii)**

Pursuant to Federal Rules of Civil Procedure Rule 41(a)(1)(ii), Plaintiff FM Holdings, LLC ("FM") hereby notices the voluntary dismissal of Count Three – Violation of Massachusetts Uniform Securities Act G.L. c 410A § 110(a) of the Amended Complaint against Defendants Bill Mahoney and Steven Gregorio ("Defendants"), without prejudice and without costs to any party. Defendants and FM are the only parties appearing in this case and Defendants stipulate to such dismissal.

Plaintiff FM Holdings, LLC
By its attorneys,

Defendants Bill Mahoney and
Stephen Gregorio
By their attorneys

s/Kevin S. Murphy/

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